

REMARKS/ARGUMENTS

Applicant submits this Amendment, together with a Petition for Extension of Time, in reply to the Office Action mailed May 12, 2004.

In this Amendment, Applicant cancels, without prejudice or disclaimed, claims 88-116; amends claims 61-65, 67-73, 77, 80, and 85 to improve clarity; amends portions of claims 59 and 75 to improve clarity; and also amends portions of claims 59 and 75 to better define the claimed invention.

Before entry of this Amendment, claims 59-116 were pending in this application. After entry of this Amendment, claims 59-87 are pending in the application.

The originally-filed specification, claims, abstract, and drawings fully support the amendments to claims 59, 61-65, 67-73, 75, 77, 80, and 85. No new matter was introduced.

In the Office Action, the Examiner rejected claims 59-67, 72-74, 88-96, and 101-103 under 35 U.S.C. § 112, ¶ 1; rejected claims 59-67, 72-74, 88-96, and 101-103 under 35 U.S.C. § 112, ¶ 2; rejected claims 59, 62, 64, 88, 91, and 93 under 35 U.S.C. § 103(a) as being unpatentable over French Patent Application No. 2,055,988 (“FR ’988”); rejected claims 59, 62, 64, 65, 88, 91, 93, and 94 under 35 U.S.C. § 103(a) as being unpatentable over European Patent Application No. 0,467,277 (“EP ’277”); rejected claims 59-67, 72, 88-96, and 101 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,044,523 to Drakeford et al. (“Drakeford”); and rejected claims 73, 74, 102, and 103 under 35 U.S.C. § 103(a) as being unpatentable over any of FR ’988, EP ’277, or Drakeford in view of U.S. Patent No. 3,826,297 to Alderfer (“Alderfer”), U.S. Patent No. 4,248,287 to Christman (“Christman”), and U.S. Patent No. 3,240,250 to Frazier (“Frazier”).

Right of Priority and Benefit

In the Preliminary Amendment filed with the application on April 27, 2001, Applicant indicated that the present application is a continuation of International Patent Application No. PCT/EP99/07963, filed October 20, 1999, in the European Patent Office. Applicant also claimed the benefit under 35 U.S.C. § 119(e) based on prior-filed, copending provisional application No. 60/114,157, filed December 29, 1998, in the U.S. Patent and Trademark Office (“USPTO”). However, the Office Action does not appear to acknowledge either of these claims. Applicant respectfully requests that the Examiner expressly acknowledge Applicant’s claims to the right of priority and benefit in the next paper mailed from the USPTO.

Claim Rejections Under 35 U.S.C. § 112, ¶¶ 1 and 2

Applicant amends the claim 59 recitation “wherein the at least one carcass ply comprises end flaps” to recite “wherein the at least one carcass ply comprises a main part and end flaps,” “wherein the main part extends between inner circumferential edges of the first annular inserts,” and “wherein the end flaps extend from the inner circumferential edges of the first annular inserts, away from the main part of the at least one carcass ply.” Additionally, Applicant amends the claim 75 recitation “at least one carcass ply comprising a pair of inner-circumferential end flaps” to recite “at least one carcass ply comprising a main part and end flaps.” Applicant submits that the originally-filed specification, claims, abstract, and drawings fully support these amendments.

As correctly noted by the Examiner, the end flaps are part of the at least one carcass ply. Although the recitations “wherein the at least one carcass ply comprises end flaps” (claim 59) and “at least one carcass ply comprising a pair of inner-circumferential end flaps” (claim 75)

don't indicate that the end flaps are not part of the at least one carcass ply, Applicant submits that the recitations "wherein the at least one carcass ply comprises a main part and end flaps," "wherein the main part extends between inner circumferential edges of the first annular inserts," and "wherein the end flaps extend from the inner circumferential edges of the first annular inserts, away from the main part of the at least one carcass ply" (claim 59) and "at least one carcass ply comprising a main part and end flaps" (claim 75) may improve clarity.

In claims 59 and 75, Applicant amends the recitation "wherein the at least one carcass ply and each first annular insert abut against each other along either: a whole surface extension of the first annular inserts; or a whole radial extension of the end flaps" to recite "wherein the at least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert." Applicant submits that the originally-filed specification, claims, abstract, and drawings also fully support these amendments.

Additionally, Applicant submits that these amendments obviate the Examiner's rejections under 35 U.S.C. § 112, ¶¶ 1 and 2.

Claim Rejections Under 35 U.S.C. § 103(a)—Independent Claims

Applicant submits that independent claim 59, as amended, is patentable under 35 U.S.C. § 103(a) over the cited references, including Alderfer, Christman, Drakeford, Frazier, EP '277, FR '988, and the other art of record. This is true whether such art is considered alone or in any proper combination for at least the reason that no cited reference nor any proper combination of the cited references teaches or suggests all the claim limitations of independent claim 59, including at least: "a first circumferentially inextensible annular insert, substantially in a form of a crown, disposed substantially coaxially with respect to the carcass structure close to one of the

respective inner circumferential edges of the at least one carcass ply,” “at least one second circumferentially inextensible annular insert, substantially in a form of a crown, disposed substantially coaxially with respect to the carcass structure,” “wherein the first annular insert is formed of at least one first elongated element extending in substantially-radially-aligned concentric coils,” “wherein the at least one second annular insert is disposed at an axially external position with respect to the first annular insert,” “wherein the at least one second annular insert is formed of at least one second elongated element extending in substantially-radially-aligned concentric coils,” “wherein the at least one carcass ply comprises a main part and end flaps,” “wherein the main part extends between inner circumferential edges of the first annular inserts,” “wherein the end flaps extend from the inner circumferential edges of the first annular inserts, away from the main part of the at least one carcass ply,” “wherein the at least one carcass ply is turned back against and around a circumferentially inner coil of respective first annular inserts at transition regions between the main part of the at least one carcass ply and respective end flaps,” “wherein each end flap is axially interposed between respective first and second annular inserts,” “wherein each coil of each first annular insert contacts the at least one carcass ply,” and “wherein the at least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert.”

Applicant notes, for example, that FR '988 does not appear to disclose “the at least one carcass ply is turned back against and around a circumferentially inner coil of respective first annular inserts at transition regions between the main part of the at least one carcass ply and respective end flaps” (emphasis added). Instead, in Fig. 2, additional bead ring 5 is interposed between carcass ply 4 and annular insert 6. Also, FR '988 does not appear to disclose “the at

least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert" (emphasis added) at least because additional bead ring 5 appears to prevent carcass ply 4 from contacting the radially inner edge of annular insert 6.

With respect to EP '277, Applicant notes that Figs. 7a and 7b do not appear to disclose "the at least one second annular insert is disposed at an axially external position with respect to the first annular insert" (emphasis added). Instead, inner bead ring assembly 104 is disposed in an axially internal position with respect to outer bead ring assembly 102. Also, Fig. 7a of EP '277 does not appear to disclose "wherein each coil of each first annular insert contacts the at least one carcass ply" (carcass ply 16 does not appear to contact central wires 106 of outer bead ring assembly 102), while Fig. 7b of EP '277 does not appear to disclose "wherein the first annular insert is formed of at least one first elongated element extending in substantially-radially-aligned concentric coils" and/or "wherein the at least one second annular insert is formed of at least one second elongated element extending in substantially-radially-aligned concentric coils" (the wraps of inner bead ring assembly 114 and of outer bead ring assembly 112 appear to be axially aligned).

Drakeford does not appear to disclose "wherein each coil of each first annular insert contacts the at least one carcass ply." Instead, carcass ply 23 does not appear to contact the central bead wires 21 of bead region 20. Additionally, Drakeford does not appear to disclose "the at least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert" (emphasis added) at least because rubber apex strip 22 appears to prevent carcass ply 23 from contacting the radially outer edge of bead wires 21.

Claim Rejections Under 35 U.S.C. § 103(a)—Dependent Claims

Applicant further submits that dependent claims 60-74 are patentable under 35 U.S.C. § 103(a) over the cited references, including Alderfer, Christman, Drakeford, Frazier, EP '277, FR '988, and the other art of record. This is true whether such art is considered alone or in any proper combination, at least due to the direct or indirect dependency of claims 60-74 from independent claim 59.

Claim Scope

In discussing the specification, claims, abstract, and drawings in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant believes that Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Summary

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this Application and the timely allowance of the pending claims.

Application No. 09/842,662
Attorney Docket No. 7040.0086.00
Amendment—Filed November 12, 2004

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.



Dated: November 12, 2004

By: _____

Lawrence F. Galvin
Reg. No. 44,694